IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

TUESDAY, THE TWENTIETH DAY OF NOVEMBER
TWO THOUSAND AND SEVEN.

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No. 24604 of 2007

Between:

P. Radhakrishnamacharyulu … Petitioner

Versus

The Govt. of Andhra Pradesh,
Represented by its Prl.Secretary,
Revenue (Endowments-IV) Department,
Hyderabad & Anr. … Respondents

Counsel for the Petitioner: Sri NIMMAGADDA SATYANARAYANA

(5739)

Counsel for the Respondents: GOVT.PLEADER FOR ENDOWMENTS

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No. 24604 of 2007

O R D E R :

The impugned order in the writ petition is Memo.No.54440/ Endts.IV(1)/2006-1, dated 02-12-2006 issued by the first respondent and the said order reads as hereunder:

GOVERNMENT OF ANDHRA PRADESH
REVENUE (ENDOWMENTS-IV) DEPARTMENT

Memo.No.54440/Endts.IV(1)/2006-1. Dated:02-12-2006.

Sub: Appeal filed by Sri N.Narayanam Srinivasacharyulu, Nanda-
Navanam village, Jerugumalli Mandal, Prakasam district against the orders of Regional Joint Commissioner of
Endowments, Guntur Zone, Guntur – Regarding.

Ref: From Sri N.Narayanam Srinivasacharyulu, Nandanavanam(v)
Jerugumalli Mandal, Prakasam district, Appeal, dated 20-11-2006.

***

Aggrieved by the orders of the Regional Joint Commissioner of Endowments Department, Guntur Zone, Guntur issued in RP.No.37/2005, dated 29-7-2006, Sri N.Narayanam Srinivasacharyulu, r/o Nandanavanam village, Jerugumalli Mandal, Prakasam district has filed an appeal before the Government, seeking a direction to set aside the orders of the Asst.Commissioner of Endowments Department, Ongole in RC.No.A4/4740/2003, dated 14-11-2005 and also the orders of the Regional Joint Commissioner of Endowments Department, Guntur Zone, Guntur, dated 29-7-2006 in RP.No.37/2005 and grant stay of all further proceedings pending disposal of the appeal.

2. Government have therefore in exercise of its revisional powers vested under Section 93 of the Endowments Act and all other powers hereunto examined the matter and decide to stay the orders the Regional Joint Commissioner of Endowments, Guntur Zone, Guntur issued in RP.No.37/2005 dated 29-7-2006.

3. Accordingly, a copy of the appeal 1st cited is sent herewith to the Regional Joint Commissioner of

Endowments, Guntur Zone, Guntur and Asst.Commissioner of Endowments Departments, Ongole, Prakasam district. They are therefore requested to furnish their remarks along with connected records.

4. Pending disposal of the appeal of Sri N.Narayanam Srinivasacharyulu, the orders of the Regional Joint Commissioner of Endowments, Guntur Zone, Guntur issued in RP.No.37/2005 dated 29-7-2006 are hereby stayed until further orders.

I.V. SUBBA RAO
PRL.SECRETARY TO GOVERNMENT.

2. The matter is coming up 'for admission'. The writ petition is filed for a writ of mandamus, declaring the order in Memo.No.54440/Endts.IV(I), dated 2-12-2006 issued by the first respondent as illegal, irregular, without jurisdiction, violative of provisions of the A.P.Charitable and Hindu Religious Institutions and Endowments Act, 1987 and offends article 14 of the Constitution of India and consequently to set aside the same.

3. The first respondent made the said order, which is the interim order, pending appeal. Though several facts had been narrated in detail. This Court is not inclined to express any opinion relating to the said controversies, in view of the fact that it is stated that having granted an interim order, the first respondent is not disposing of the appeal.

4. In the light of the same, let the first respondent dispose of

the appeal within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of accordingly at the stage of admission. No costs.

JUSTICE P . S .
NARAYANA .
20/11/2007.

NB:

FURNISH C.C. OF THE ORDER
TODAY ITSELF.

B/o. l s L